

RECEIVED

OCT 16 2002

Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

A. Subcase 37-02676

(Insert water right number)

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Milford Sweat

Address: PO Box 234; Carey, ID 83320

Name: Catherine L Sweat

Address: PO Box 234; Carey, ID 83320

Name:

Address: ;

Name:

Address: ;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point(s) of Diversion**

Should be: _____

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**

Should be: See attached

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

F.

VERIFICATION (Must be Completed)

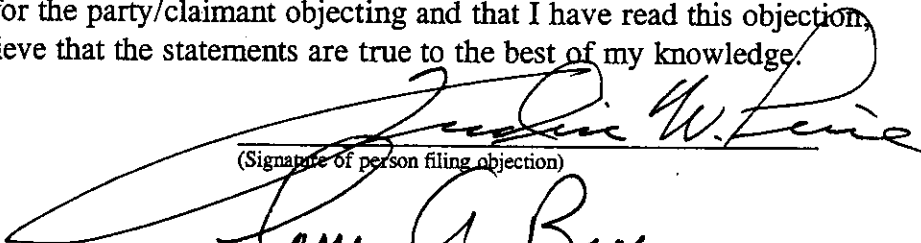
State of Idaho)

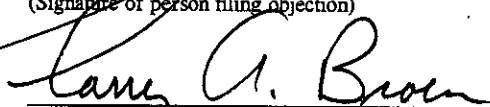
) ss.

County of Ada)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

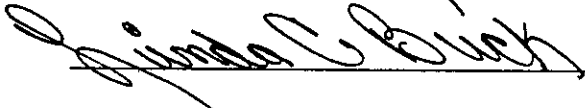
That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

October 10, 2002

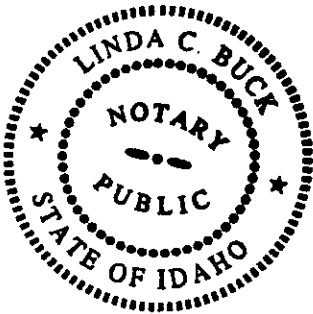


Linda C. Buck

Notary Public for Idaho

Residing at: Mountain Home

My Commission Expires: 12-21-2005



INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on 10-11, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Milford Sweat

Address: PO Box 234; Carey, ID 83320

Name: Catherine L Sweat

Address: PO Box 234; Carey, ID 83320

Name:

Address: ;

Name:

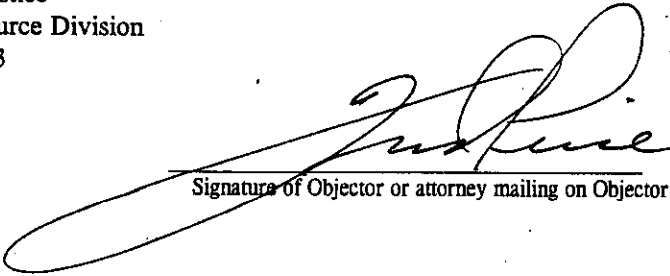
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney mailing on Objector's behalf

08/05/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-2676

NAME AND ADDRESS: MILFORD SWEAT
PO BOX 234
CAREY ID 83320CATHERINE L SWEAT
PO BOX 234
CAREY ID 83320-UNAUTHORIZED USE**-CLAIMANT IS NOT AUTHORIZED
TO FARM PUBLIC LANDS.****-REMOVE THESE POUs FROM THE CLAIM**

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.850 CFS
277.20 AFY

PRIORITY DATE: 12/11/1961

POINT OF
DIVERSION: T01S R22E S3 NESESE Within BLAINE County
T01S R22E S3 NESESE Within BLAINE CountyPURPOSE AND
PERIOD OF USE:PURPOSE OF USE
IRRIGATIONPERIOD OF USE
4/01 11/01QUANTITY
1.850 CFS
277.20 AFYPLACE OF USE: IRRIGATION Within BLAINE County

T01S R22E S03	SESW ✓	13.0	T01S R22E S03	SWSE ✓	26.0
T01S R22E S03	SESE ✓	19.0	T01S R22E S10	NENE ✓	2.6
T01S R22E S10	NWNE ✓	33.0	T01S R22E S10	SENE ✓	15.0
T01S R22E S10	NENW ✓	36.0	T01S R22E S10	SENE ✓	12.0
T01S R22E S10	SESW ✓	20.0	T01S R22E S10	NESE ✓	32.0
T01S R22E S10	NWSE ✓	9.4	T01S R22E S10	SWSE ✓	34.0
T01S R22E S10	SESE ✓	12.0	T01S R22E S15	NWNE ✓	31.0
T01S R22E S15	SWNE ✓	24.0	T01S R22E S15	NENW ✓	31.0
T01S R22E S15	SENE ✓	40.0	T01S R22E S15	NESW ✓	40.0
T01S R22E S15	NWSE ✓	19.0			

449 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THIS RIGHT WITH RIGHT NO. 37-7620 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 449 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 92.4 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

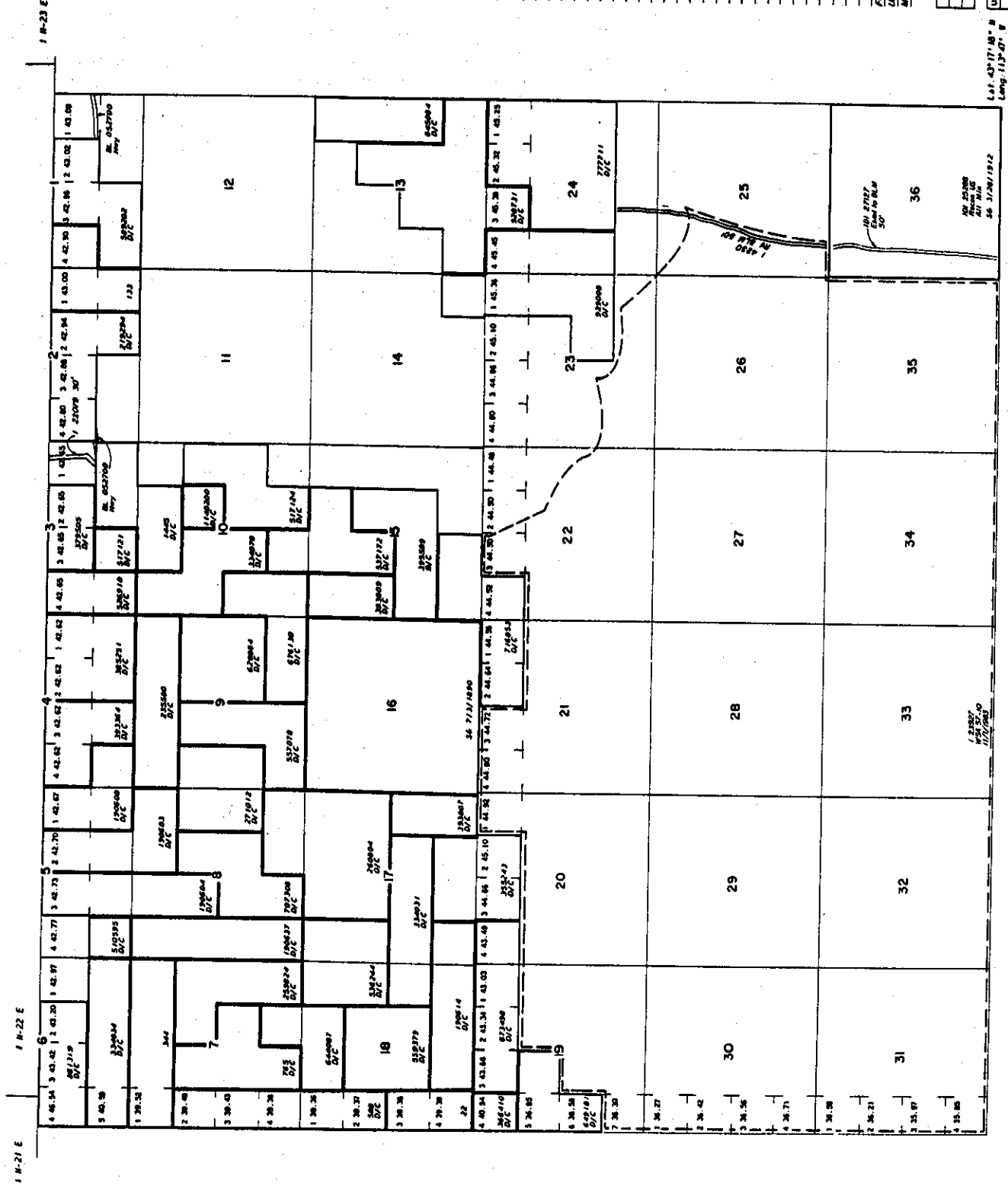
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

TOWNSHIP 1 SOUTH RANGE 22 EAST OF THE BOISE MERIDIAN, IDAHO

BLAINE COUNTY 013
SHOSHONE DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT



1 N-23 E

1 N-22 E

1 N-21 E

1 W-21 E

1 W-22 E

1 W-23 E

1 W-24 E

1 W-25 E

1 W-26 E

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